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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,428	09/26/2003	Tcow Beng Hur	82533	8193

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NATH & ASSOCIATES
112 South West Street
Alexandria, VA 22314

EXAMINER

PLUMMER, ELIZABETH A

ART UNIT	PAPER NUMBER
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3635

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/671,428	Applicant(s) HUR, TEOW BENG	
	Examiner Elizabeth A. Plummer	Art Unit 3635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 19 is/are allowed.
- 6) ☒ Claim(s) 1,2,11-15 and 17 is/are rejected.
- 7) ☒ Claim(s) 3-10, 16 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Applicant's amendments and arguments received 5/25/2007 have entered and considered. An examination of pending claims 1-19 is herein presented.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Greenhalgh (US Patent 3,614,050).

a. Regarding claim 1, Greenhalgh discloses formwork system (10) for use in casting prefabricated wall or floor panels (abstract), the formwork system including a support structure including a platform (62) and a sub-structure (top bracket bolted to 62) (Fig. 8) supporting the platform, the platform having a platform surface defining a first panel surface of a panel to be cast (Fig. 4) and a plurality of side forms (54) which are capable of being positioned on the platform surface, each side form having a side form surface defining an additional panel surface of the panel to be cast (Fig. 4), each side form being braced by at least one brace structure (12, 14, 58, 52) connected to the support structure (Fig. 8) for bracing the plurality of side forms in position, each brace structure having adjustment means (58) for permitting adjustment of the position of each side form

on the platform to adjust the length and width dimensions of the panel to be cast (column 1, lines 30-33).

b. Regarding claim 2, each brace structure includes an abutment (12,14) connected to the sub-structure (Fig. 4,8), a strut (52) extending from the side form (Fig. 4,8), the adjustments means (58) providing a connection between the strut and the abutment that permits adjustment of the position of each side form on the platform.

c. Regarding claim 11, the formwork system can include a plurality of sets of side forms each varying in height as the height of each of the side forms in adjustable (Fig. 10; column 3, lines 67-69).

3. Claims 1, 12-15 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Melfi (US Patent 4,052,031).

a. Regarding claim 1, Melfi discloses a formwork system for use in casting prefabricated wall or floor panels (column 1, lines 17-25), the formwork system including a support structure (28, 30) including a platform (32,34) and a sub-structure (50,52,48,55) supporting the platform, the platform having a platform surface defining a first panel surface of a panel to be cast (column 2, lines 52-54); a plurality of side forms (82) which are capable of being positioned on the platform surface (Fig. 1), each side form having a side form surface defining an additional panel surface of the panel to be cast, and each side form being braced by at least one brace structure (84,88) connected to the support structure (Fig. 1,2) for bracing the plurality of side forms in position, each brace structure having

adjustment means (90) for permitting adjustment of the position of each side form on the platform to adjust the length and width dimensions of the panel to be cast (column 1, lines 48-51; column 1, lines 63-69; abstract).

b. Regarding claim 12, the substructure includes beams (50) that provide support to the platform.

c. Regarding claim 13, the platform is inherently designed to impart a pattern (solid rectangle) onto the surface of the panel.

d. Regarding claim 14, each side form is inherently designed with a profile to impart a shape (rectangle) into the side of the panel to be cast.

e. Regarding claim 15, the formwork system is a modular extension mould for prefabricating higher heights of wall panels (abstract).

f. Regarding claim 17, the substructure includes channels (between clamps 55,55') which provide support to the platform.

Allowable Subject Matter

4. Claim 19 is allowed.

5. Claims 3-10, 16, and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

6. Applicant's arguments filed 25 May 2005 have been fully considered but they are not persuasive. Regarding claim 1, Melfi does teach an adjustment apparatus (90) for the claimed side forms that is a part of the brace structure (84,88). The adjustment

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means (90) allow the side form to be adjusted (abstract). Furthermore, applicant admits on pages 12-13 of the arguments that Melfi teaches an adjustment means. The adjustment means is also capable of permitting the adjustment of the position of each side form for changes in the length and width of the panel.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth A. Plummer whose telephone number is (571) 272-2246. The examiner can normally be reached on Monday through Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on (571) 272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. CHAPMAN/
PRIMARY EXAMINER
ART UNIT 3635

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